

Confirmation No.7644

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	SCHOOFS, <i>et al.</i>	Examiner:	Tran, N.
Serial No.:	10/572,981	Group Art Unit:	2838
Filed:	March 21, 2006	Docket No.:	NL031162US1
Title:	SWITCH MODE POWER CONVERTER		

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Customer No. 65913

Dear Sir:

In response to the Non-Final Office Action dated December 10, 2007, in which a restriction requirement was made, Applicant elects to prosecute the claims of Group I, with traverse. Claim 1 has been identified as generic.

For the limited purposes of responding to the Office Action and without prejudice, Applicant submits that each of the claims 1-27 is readable on the elected Group I and that the restriction requirement is improper.

Group I is said to be drawn to Figure 4, which shows a current-controlled down-converter that encompasses various implementations. Each of Figures 5, 6 and 7 are described in the specification as showing implementations of Figure 4, with Figure 11 being described as showing an implementation of Figure 6, and Figure 8 being described as showing an implementation of Figure 7. Moreover, Figure 9 is described as showing an implementation that uses a parallel arrangement of two converters such as shown in Figure 4. As such and in this limited context, Applicant submits that Figure 4 should not to be considered exclusive of the features shown in the other Figures.

Applicant therefore submits that the restriction requirement is improper because the identified Groupings are not mutually exclusive. Different species have not been properly identified if the claims that read on different Groupings have overlapping scope. See M.P.E.P. 806.04(f).

Applicant also submits that the Examiner has not established that there is any inordinate burden to concurrently examining claims 1-27.

Reconsideration and withdrawal of the restriction requirement is respectfully requested, along with concurrent examination of all the claims 1-27. If the Examiner has any questions or comments, a telephone call to the number indicated below is invited.

Authorization is provided to charge/credit Deposit Account 50-0996 (NXPS.399PA) any requisite fees/overages to enter this paper.

Please direct all correspondence to:

Corporate Patent Counsel
NXP Intellectual Property & Standards
1109 McKay Drive; Mail Stop SJ41
San Jose, CA 95131

CUSTOMER NO. 65913

By: 

Name: Robert J. Crawford

Reg. No.: 32,122

651-686-6633

(NXPS.399PA)